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October 1, 2009

Via Electronic Mail and ECF

Honorable Novalyn L. Winfield, U.S.B.J.
U.S. Bankruptcy Court, District of New Jersey
Martin Luther King, Jr. Federal Building
50 Walnut Street
Newark, NJ 07102

Re: *In re Jesal Patwari*
Case No. 08-26178 (NLW)

In re Shapat, Inc.
Doctor's Associates, Inc. v. Jesal Patwari, et al.
Adv. Pro. No. 09-01022

Dear Judge Winfield:

This letter is in response to Your Honor's Order entered in this matter on September 18, 2009, which directed the Trustees to advise this Court on or before October 5, 2009 as to our intentions in pursuing the Debtor's claims against Doctor's Associates and Subway Real Estate Corp.

As Chapter 7 Trustee for Jesal Patwari, I have been involved in evaluating the outstanding litigation in the adversary proceeding with Doctor's Associates, Inc. and Subway Real Estate. The evaluation of this litigation requires a comprehensive review of the current dispute and proceedings out of which the adversary proceeding grew. It necessarily involves the review of the arbitration proceeding on the franchise termination; the subsequent litigation in the Superior Court of New Jersey, Essex County which resulted in a preliminary injunction; the proceeding filed by Doctor's Associates to enforce trademarks, which resulted in another preliminary injunction; and the issues raised in the current adversary proceeding with Doctor's Associates, Inc.

In performing that analysis, we have now obtained copies of substantial pleadings that were on file in these cases. We also conducted a 341 examination of the Debtor and more recently met with the Debtor and her new counsel. During the course of that meeting, we requested the Debtor to assemble and provide us with additional documents regarding the

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Honorable Novalyn L. Winfield, U.S.B.J.

October 1, 2009

Page 2

underlying disputes. She has undertaken to do so. We are also requesting the Debtor's former counsel to provide us with her files in the disputes in which she represented the Debtor.


The material collected to date, together with the material requested from the Debtor and her counsel, Susheela Verma, has proven to be quite substantial and the Trustee requires additional time to collect and then review the additional material, conduct a further interview of the Debtor and evaluate the claims.

Accordingly, we respectfully request that the Order be amended to extend for a period of 45 days, to November 10, 2009, the time within which the Trustees shall advise the Court of their intentions, and that the scheduling of the motion for equitable remand be similarly extended to allow the Debtors to respond.

Ms. Youngman the Chapter 7 Trustee of Shapat, Inc. et al. joins me in this request.

Respectfully submitted,

MC ELROY, DEUTSCH, MULVANEY & CARPENTER LLP


Eric R. Perkins

#1336131

cc: Forrest Scott Turkish, Esq. (via regular mail)
Jesal Patwari, Debtor (ECF and regular mail)
Robert L. Schmidt, Esq. (via regular email)
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